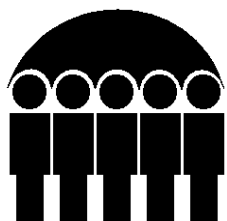


Revised December 12, 2008

Employees' Manual  
Title 16  
Chapter F

# **COMPREHENSIVE FAMILY SUPPORT**



Iowa  
Department  
of  
Human Services

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## **Overview**

The purpose of comprehensive family support programs is to assist families of children with developmental disabilities in meeting the special needs of their disabled children. Families may use these payments for special needs such as, but not limited to:

- ◆ Adaptive equipment,
- ◆ Camp,
- ◆ Counseling.
- ◆ Educational toys,
- ◆ Home or vehicle modification,
- ◆ Insurance,
- ◆ Parent training,
- ◆ Recreation activities,
- ◆ Respite care,
- ◆ Special foods, and
- ◆ Transportation.

These are only examples; families choose what they feel is important for their child in their own situation. Comprehensive family support is based on the ideals of family unity and self-determination. The program philosophy is that the most desirable place for children is at home with their family, and that the family is most knowledgeable about what supports are needed and appropriate for their own unique situation.

Comprehensive family support consists of two related programs:

- ◆ **Family Support Subsidy:** The Family Support Subsidy program consists of direct cash assistance in the form of a monthly warrant to families of children up to age 18 with developmental disabilities. The Division of Child and Family Services in central office administers this program, and the bulk of this manual addresses the policies and procedures for the program.
- ◆ **Children at Home:** The Children at Home program is a contracted service administered by the Department's central office. The program assists parents by:
  - Helping them locate formal and informal assistance,
  - Helping connect parents with other parents,
  - Advocating for families and children at the local and state level, and
  - Collaborating with other local agencies that provide assistance to families and children.

Local Children at Home programs operate with the advice and assistance of a parent council. A majority of the council members should be parents of children with developmental disabilities. Department participation on local children at home councils is encouraged because we have valuable expertise to share with families as they seek services to assist children with disabilities.

Local Department offices have no direct role in the Children at Home program. However, workers should be aware of this program so that they can refer families who have children with disabilities up through age 21. This manual does not address the Children at Home program beyond issuing and receiving applications.

### **Legal Basis**

The Family Support Subsidy Program became law in through 1988 Iowa Acts, Chapter 1122, and appears in Iowa Code Chapter 225.C, Sections 35 through 42.

The Children at Home program was amended by the Legislature in 2006 Iowa Acts, Senate File 2217, division VI. The Comprehensive Family Support Program incorporated the Family Support Subsidy Program and the Children at Home Program into law in June 2006.

The Family Support Subsidy Program was amended by the Legislature in 2008 Iowa Acts, Senate File 2262, division IV.

Policies and procedures related to the administration of these programs are contained in 441 Iowa Administrative Code Chapter 184.

### **Definitions**

**Legal reference:** 441 IAC 184.1(225C)

**“Central office”** means the Division of Child and Family Services of Human Services.

**“Child”** means an individual under the age of 18.

**“Department”** means the Department of Human Services.

**“Developmental disability”** means a severe, chronic disability of a person that:

- ◆ Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- ◆ Is manifested before the person attains age 22;
- ◆ Results in substantial functional limitation in three or more of the following areas of major life activities:
  - Self care.
  - Receptive and expressive language.
  - Learning.
  - Mobility.
  - Self-direction.
  - Capacity for independent living.
  - Economic self-sufficiency; and
- ◆ Reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong term.

**“Family”** means a family member and the parent or legal guardian of the family member.

**“Family member”** means a person less than 18 years of age who by educational determination has a moderate, severe, or profound educational handicap or special health care needs or who otherwise meets the definition of developmental disability.

**“Family support services”** means a wide array of goods and activities that assist parents or guardians meet the special needs of children with developmental disabilities living at home.

**“Home”** means the legal residence of the parent or legal guardian of the family member.

**“Legal guardian”** means a person appointed by a court to exercise powers over the child.

**"Parent"** means a biological or adoptive parent.

**"Supplemental Security Income (SSI)"** means financial assistance provided to individuals pursuant to Title XVI of the federal Social Security Act, 42 U.S.C. sections 1381 to 1383c.

### **List of Requirements**

<b>Action</b>	<b>Office Responsible</b>	<b>Form</b>
Taking application for Children at Home	Children at Home contractor	<i>Application for Children at Home Services</i> , form 470-4399
Determining eligibility for Children at Home	Children at Home contractor	Local option
Taking application for family support subsidy	Department central or local office	<i>Application for Family Support Subsidy</i> , form 470-2526 <i>Effect of Family Support Subsidy</i> , RC-0034
Determining eligibility for family support subsidy	Central office	<i>Notice of Decision: Services</i> , form 470-0602
Maintaining statewide waiting list for subsidy	Central office	NA
Annual reapplication for subsidy	Central office	<i>Renewal Application</i> , form 470-3004
Termination of subsidy	Central office	<i>Notice of Decision: Services</i> , form 470-0602

## **Application Process for Comprehensive Family Support Programs**

**Legal reference:** 441 IAC 184.3(1), 184.3(2), and 184.3(3)

Families may apply for the family support subsidy at local offices of the Department or at the Department central office: Family Support Subsidy Program, Division of Children and Family Services, 1305 E. Walnut Street, Des Moines, IA 50319-0114.

Families generally apply for Children at Home at the office of the local contractor. Children at Home programs are located in the following counties:

### **Black Hawk & Grundy Counties**

Exceptional Persons, Inc.  
Kathy Ketton  
3675 University Ave.  
PO Box 4090  
Waterloo, IA 50701  
Phone: 319-233-0804

### **Clinton & Jackson Counties**

Central Community School District  
Amanda Greubel  
PO Box 110  
Dewitt, IA 52742  
Phone: 563-659-0750

### **Boone & Story Counties**

ARC of Story County  
Jay Lettow  
PO Box 581  
430 5<sup>th</sup> Street  
Ames, IA 50010  
Phone: 515-232-9330

### **Dubuque County**

Children at Home  
Gloria Klinefelter  
PO Box 3024  
Dubuque, IA 52004  
Phone: 563-556-3310

### **Cass, Mills, & Montgomery Counties**

Cass County Memorial Hospital  
Carole Schuler  
Home Health Hospice  
1501 E. 10<sup>th</sup> Street  
Atlantic, IA 50022  
Phone: 712-243-7545

### **Johnson & Washington Counties**

The ARC of S.E. Iowa  
Nancy Ballard  
2620 Muscatine Ave.  
Iowa City, IA 52240  
Phone: 319-351-5017

### **Cerro Gordo, Chickasaw, Floyd, & Mitchell Counties**

Jan Streich, Decat. Coordinator  
1206 S. Main Street  
Charles City, IA 50616  
Phone: 641-228-5713 ext. 126

### **Keokuk, Mahaska, Monroe, & Wapello Counties**

First Resources  
Marcia Roozeboom  
120 N. Market Street  
Oskaloosa, IA 52577  
Phone: 641-673-1421

### **Completing an Application**

When people inquire about the program or indicate an interest in completing an application, give them a choice of taking the application packet home or filling out the application with the assistance of the local contractor (for the Children at Home program) or of Department staff.

Supply the following items in the application packet:

- ◆ Directions for completing the application.
- ◆ Form 470-2526, *Application for Family Support Subsidy*, which contains an application and forms for educational verification and medical verification.
- ◆ Form RC-0034, *Effect of Family Support Subsidy*, an information sheet tells how the subsidy should affect taxes and other types of financial assistance the family receives.
- ◆ Form 470-4399, *Application for Children at Home* (in a county where the Children at Home program operates).

Provide the application packet to the family. Families who are applying for subsidy for more than one child must complete a separate application and educational or medical verification for each child.

The family completes the application and returns it to the local Children at Home contractor or to the central office address listed on form 470-2526. NOTE: Central office will accept certification forms submitted on the applicant's behalf from appropriate professionals.

The date of application is the date that the local Department office, central office, or local contractor receives the application and all required verifications. If an application is returned to the local Department office:

1. Date-stamp the application to verify receipt.
2. Immediately send Children at Home applications to the local contractor and send family support subsidy applications to central office.

The local Children at Home contractor will determine eligibility for and administer Children at Home services. The central office family support program manager will determine eligibility for and administer family support subsidy assistance.

### **Reviewing the Application**

The contractor or program manager reviews the application for completeness within two days of receipt.

To be complete, the application **must** have the following verifications attached:

- ◆ Verification of the child's disability: Either an educational verification or a medical verification can be used to verify the child's disability. For the Children at Home program, receipt of Medicaid home- and community-based waiver services or Supplemental Security Income is also considered to verify disability.

If the child has undergone an educational evaluation, either the child's school principal, local superintendent of schools, or the director of special education for the area education association, or any person designated by those persons may determine that the child has a severe or profound educational handicap or special health care need.

If an educational evaluation cannot be accomplished, then a medical doctor may verify the child meets the definition of having a development disability. The medical doctor shall be familiar with the child and the definition of developmental disability.

- ◆ A copy of the family's **signed federal income tax return** for the calendar year immediately preceding the date of application. NOTE: Only the main income tax form showing the net taxable income is needed, not the itemized attachments.

Items listed as excluded from income in XIII-A, [Excluded From Income](#), are not counted as income for family support subsidy payments unless they were included in determining the amount of the family's net taxable income on the most recent income tax return.

If no federal income tax return for the previous year exists, income must be verified by other means such as: estimated tax return, pay check stubs or other methods agreed upon by you and the family. The applicant is responsible for obtaining verification.

If the family has "income maintenance" status, as defined in XIII-A, [Income Maintenance Status](#), the program manager can verify this status with the income maintenance unit.

If application is **not complete**, the contractor or program manager:

1. Notifies the applicant in writing and request the needed information,
2. Reminds applicants that the date they will be placed on the waiting list is the date you receive the completed application with all necessary verifications.

If the application is **complete**, the contractor or program manager

1. Fill in the date the completed application (including income and disability verifications) was received in the "For Department Use Only" box on the bottom of page two of the application.
2. Determines eligibility for the family support subsidy.

### **Determining Eligibility**

**Legal reference:** 441 IAC 184.2(225C)

The applicant must meet **all** the following requirements to be determined eligible:

- ◆ The child is the appropriate age and meets the definition of having a developmental disability. The age limits are as follows:
  - Family Support Subsidy is available up to age 18.
  - Children at Home is available up through age 21.
- ◆ The child currently resides in the home of the child's parent or guardian, or there is a discharge plan for the child to return home in the next 60 calendar days.
- ◆ The family resides in Iowa and, for Children at Home, in a designated county.
- ◆ The family's net taxable income (not gross income) for the calendar year immediately proceeding the date of application did not exceed \$40,000, unless it can be verified that their estimated taxable income for the year in which the application is made will be less than \$40,000.

A family that has non-taxable income that exceeds \$40,000 will be required to justify why they should qualify for the family support subsidy.

### **Ineligibility for Subsidy**

**Legal reference:** 441 IAC 184.2(7)

A family is **not** eligible for the family support subsidy if the family or child receives any of the following:

- ◆ Special needs adoption subsidy; or
- ◆ Medicaid waiver services in a county served by Children at Home.

NOTE: In FY 2008, Children at Home is available in the following counties: Black Hawk, Boone, Cass, Cerro Gordo, Chickasaw, Clinton, Dubuque, Floyd, Grundy, Jackson, Johnson, Keokuk, Mahaska, Mills, Mitchell, Monroe, Montgomery, Story, Wapello, and Washington.

### **Time Limit**

**Legal reference:** 441 IAC 184.3(3)

The comprehensive family support program manager shall determine eligibility for comprehensive family support programs within 15 working days after the complete application is received in the central office, local Department office, or local contractor office.

### **Subsidy Notice of Decision**

**Legal reference:** 441 IAC 7.7(217)

After determining whether the applicant meets all the eligibility criteria and funding is available, the comprehensive family support program manager:

1. Checks the appropriate box in the "For Use by Department Only" box on the bottom of page two of the application and sign your name and title.
2. Completes form 470-0602, *Notice of Decision: Services*, as specified in Employee's Manual XIII-A, [Notification](#), and mails it to the applicant within 15 working days of receiving the complete application.

If all appropriated funding has been obligated to current recipients, the application will be denied. In the "Explanation of Action" box, the notice will state that the denial is due to all appropriated funds being obligated and that the applicant's name will be placed on a statewide waiting list.

### **Subsidy Waiting List**

**Legal reference:** 441 IAC 184.3(4)

If all appropriated funds have been obligated, there is a statewide waiting list maintained by central office. After funds have been obligated, pending applicants who meet the eligibility requirements are placed on the statewide waiting list in the following order:

- ◆ The date the completed application with appropriate verifications was received in the local office.
- ◆ The day of the month of the child's birthday, lowest number being first on the waiting list.
- ◆ The month of the child's birthday, January being month one and the lowest number.
- ◆ Alphabetically by child's last name.

The comprehensive family support program manager in central office will notify a family when they become one of the top 25 applicants on the waiting list. A redetermination of eligibility will be done at that time.

When funding allows, additional families will be added to the subsidy from the statewide waiting list. Central office will notify the family in writing.

### **Subsidy Eligibility Exceptions**

**Legal reference:** 441 IAC 1.8(17A,217)

If the family can demonstrate that not receiving the family support subsidy would impose an undue burden on the family, the family should apply for an exception to policy. An exception would need to be granted by the director before they could be enrolled. See 1-B, [Exceptions to Policy](#), for further information.

### **Amount and Effective Date of Subsidy Payments**

**Legal reference:** 441 IAC 184.6(225C)

A family approved for Family Support Subsidy payment shall receive an ongoing monthly payment that is determined annually by the Department based on the legislative appropriation. An approved family support subsidy shall be payable as of the first working day of the month following approval.

### **Change in Subsidy Status**

**Legal reference:** 441 IAC 184.8(2)

A family is required to report changes in family circumstances that might affect eligibility within ten days of the occurrence. Notify central office or the local contractor of changes in address or changes in the family situation that might affect eligibility.

### **Annual Review for Family Support Subsidy**

**Legal reference:** 441 IAC 184.7(1)

An annual review of eligibility is required for continued receipt of subsidy payments. Central office will provide written notification and appropriate forms to the family at least 30 calendar days before the annual review information is due.

A parent or legal guardian who wishes to continue receiving subsidy payments must complete a *Renewal Application*, form 470-3004, on an annual basis and submit the forms directly to central office.

Central office will notify the family if they do not continue to meet eligibility or do not return the reapplication form.

### **Termination of Subsidy**

**Legal reference:** 441 IAC 184.8(1)

Central office will terminate the subsidy if any of the following occurs:

- ◆ The family or child no longer meets one or more of the eligibility requirements.
- ◆ Funds appropriated for this purpose are no longer available.
- ◆ Subsidy has been obtained by provision of false information.
- ◆ The parent or legal guardian requests that the subsidy be terminated.
- ◆ The parent or legal guardian has failed to provide the Department with information to establish continuing eligibility by the annual review date.

### **Timely Notice**

Central office shall provide timely notice to a parent or legal guardian whose subsidy has been terminated. All notices will include the reason for termination, date of termination, and instructions on how to appeal the decision.

When a child reaches the age of 18, the termination date will be the first day of the month following the month the child turns 18. Children will receive a full month subsidy payment for the month in which they turn 18. Central office will mail a letter of notification at least ten calendar days before the termination date.

When the family initiates termination, the termination date will be the first day of the month following the month when the family notified the Department. Central office will mail a letter of notification within ten working days of the notification.

When the Department initiates termination, it shall be effective at least 30 calendar days after the date central office mails a letter of notification to the family. EXCEPTION: When there is fraud by the parent or legal guardian, the ten-day timely notice period begins on the day after the notice is mailed.

### **Repayment**

**Legal reference:** 441 IAC 184.8(2)

When parents or legal guardians receive subsidy payments for which they are not eligible because they failed to report changes affecting eligibility, they shall be required to make a refund to the Department. Central office will notify the parent or guardian in writing of the amount and the reason for the repayment.

### **Appeals**

**Legal reference:** 441 IAC 184.9(225C)

If an application is denied or the subsidy is terminated, the parent or legal guardian may request a hearing before an impartial hearing officer by submitting a written request to Appeals Section, Department of Human Services, 1305 E Walnut St, 5<sup>th</sup> Floor, Des Moines, IA 50319 within 30 days of the date of the denial or termination notice. Appeals shall follow the appeals process outlined in 1-C, *APPEALS AND FAIR HEARINGS*.

NOTE: When a family appeals the termination of benefits for a child who is turning or has turned 18 years of age, benefits are not paid during the appeal process.

If the court rules in favor of the family, the family shall be paid for any months they missed and be reinstated in the program.



# STATE OF IOWA

CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
EUGENE I. GESSOW, DIRECTOR

December 12, 2008

## GENERAL LETTER NO. 16-F-2

ISSUED BY: Bureau of Child Care and Community Services, Division of Children and Family Services

SUBJECT: Employees' Manual, Title 16, Chapter F, **COMPREHENSIVE FAMILY SUPPORT**, Title page, revised; Contents (page 1), revised; and pages 1 through 12, revised.

### Summary

The title of this chapter, formerly "Family Support Subsidy Program," has been changed. "Comprehensive Family Support" encompasses two distinct but related programs, the Family Support Subsidy and Children at Home. Both programs assist families raising a child with a disability.

- ◆ The Family Support Subsidy is a monthly stipend provided to eligible families and is administered by the central office.
- ◆ The Children at Home program provides small grants based on individual requests from families and is administered locally by contractors.

This chapter is revised to reflect current policies and practices. Two key changes are as follows:

- ◆ Eligibility for the Family Support Subsidy is now affected by availability of other resources such as Medicaid home- and community-based waivers and the Children at Home program.
- ◆ Children who appeal termination of Family Support Subsidy benefits at age 18 do not continue to receive benefits while their appeal is being resolved.

### Effective Date

Immediately.

### **Material Superseded**

Remove the following pages from Employees' Manual, Title 16, Chapter F, and destroy them:

<u>Page</u>	<u>Date</u>
Title Page	December 27, 1988
Contents (page 1)	December 27, 1988
1-14	December 27, 1988

### **Additional Information**

Refer questions about this general letter to the program manager in the Bureau of Child Care and Community Services by calling 515-281-5584.